

RETURN DATE: JUNE 13, 2017 : SUPERIOR COURT  
PACIFIC & ATLANTIC, LLC : JUDICIAL DISTRICT  
v. : OF NEW HAVEN  
ASNAT REALTY, LLC : AT NEW HAVEN  
: MAY 8, 2017

### COMPLAINT

1. At all times herein, the Defendant, **ASNAT REALTY, LLC** owned real property [hereinafter sometimes referred to as the "Property"] situated in the Town of New Haven, County of New Haven, and State of Connecticut known as known as 510 Grand Avenue, Parcel B, and more particularly described as follows:

See Schedule A, attached hereto and made a part hereof

2. On or about November 13, 2012, the Defendant, **ASNAT REALTY, LLC** executed and delivered to the Plaintiff, **PACIFIC & ATLANTIC, LLC**, a Note (the "Note") a copy of which is attached hereto as Exhibit A. Said Note provided for a loan in the original principal amount of ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000.00).

3. On said date to secure said Note, the Defendant, **ASNAT REALTY, LLC** executed and delivered to the Plaintiff, **PACIFIC & ATLANTIC, LLC**, a Mortgage on the Property, a copy of which is attached hereto as Exhibit B. Said Mortgage was dated

November 13, 2012 and recorded in Volume 8913 at Page 20 of the New Haven Land Records. The Plaintiff, **PACIFIC & ATLANTIC, LLC**, is the owner and holder of said Note and Mortgage.

4. Said Note is in default and the Plaintiff, as the owner and holder of said Note and Mortgage, has elected to accelerate the balance due on said Note, to declare said Note to be due in full and to foreclose the Mortgage securing said Note.

5. The following liens or encumbrances claim to constitute an interest in the Property which are prior in right to the Mortgage which is the subject of this action:

a. Taxes due to the Town of New Haven for the following List Years in the following amounts:

i. 2011 List - \$49,537.75

ii. 2012 List - \$94,516.46

iii. 2013 List - \$96,253.90

iv. 2014 List - \$96,253.90

v. 2015 List - 48,126.96

b. Sewer Use to the Greater New Haven WPCA for the following years in the

following amounts:

- i. 12/03 - \$46.96 – due 7/30/03 – dated and recorded 12/31/03;
- ii. 6/04 - \$46.96 – due 2/04/04 – dated and recorded 6/30/04;
- iii. 12/04 - \$46.96 – due 8/04/04 – dated and recorded 12/31/04;
- iv. 6/05 - \$46.96 – due 2/02/05 – dated and recorded 6/30/05;
- v. 12/05 - \$81.06 – due 8/03/05 – dated and recorded 12/31/05;
- vi. 6/06 - \$81.20 – due 2/01/06 – dated and recorded 6/30/06;
- vii. 12/06 - \$81.20 – due 8/02/06 – dated and recorded 12/31/06;
- viii. 6/07 - \$77.60 – due 2/01/07 – dated and recorded 6/30/07; and
- ix. 12/07 - \$77.60 – due 6/30/07 – dated and recorded 12/31/07.

c. Certificate of Attachment in the amount of \$35,250.00 in favor of the Southern Connecticut Gas Co., dated May 11, 2005 and recorded in Volume 7182 Page 116 which has been reduced to a judgment lien in the amount of \$28,160.35 in favor of the Southern Connecticut Gas Co. dated July 18, 2005 and recorded in Voume 7277 at Page 248 of the New Haven Land Records.

d. An Open-End Mortgage from **ASNAT REALTY, LLC** for \$500,000 in favor of Nicholas Harding, Trustee dated December 12, 2006 and recorded in Volume 7817 at Page 198 of the New Haven Land Records; and corrected by a Correcting Mortgage



dated January 9, 2007 recorded at Volume 7877 Page 58 of the New Haven Land Records. Said mortgage was modified by a Modification Agreement recorded at Volume 8842 Page 23 of the New Haven Land Records.

e. A purchase and sale Agreement by and among Evergreen Power LLC, Ball Island, LLC, and **ASNAT REALTY, LLC** dated May 2, 2010 and recorded in Volume 8692 Page 178 of the New Haven Land Records and re-recorded in said Land Records on May 27, 2011 at Volume 8694 Page 1.

f. A Mechanic's Lien in favor of Classic Environmental, Inc. against **ASNAT REALTY LLC** and/or Evergreen Power, LLC for \$866,362.00 plus fees and interest dated April 5, 2012 and recorded in Volume 8817 at Page 174 of the New Haven Land Records; and re-recorded on April 20, 2012 in Volume 8820 at Page 206 of the New Haven Land Records.

g. A Lis Pendens in favor of Classic Environmental, Inc., against **ASNAT REALTY, LLC**, et al dated July 13, 2012 and recorded in Volume 8858 at Page 172 of the New Haven Land Records.

6. The following liens or encumbrances claim to constitute an interest in the Property which are subsequent in right to the Mortgage which is the subject of this action: None

7. The Plaintiff has further caused a Lis Pendens to be filed on the Land Records of the Town of New Haven and has further caused a copy of said Lis Pendens to be served on all of the Defendants. A certified copy of said Lis Pendens is attached hereto as Exhibit D.

WHEREFORE, the Plaintiff claims:

1. Foreclosure of the Mortgage;
2. Possession of the Property;
3. A Deficiency Judgment against the makers of, or obligors on, the Note described herein;
4. Interest;
5. Costs of suit;
6. A reasonable attorney's fee; and
7. Such other and further relief as in equity may appertain.

Dated at New Haven, Connecticut on May , 2017.

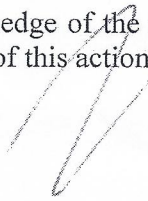
THE PLAINTIFF, PACIFIC AND  
ATLANTIC LLC

By 

\_\_\_\_\_  
Laurence P. Nadel, P.C.  
Its Attorney  
261 Bradley Street  
New Haven, Connecticut 06511  
(203) 777-8536  
Juris No. 042011

**CERTIFICATE OF FINANCIAL RESPONSIBILITY**

I hereby certify that I have personal knowledge of the financial responsibility of the plaintiff and deem it sufficient to pay the costs of this action.



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Laurence P. Nadel





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**LIS PENDENS**

NOTICE, is hereby given of a certain civil action wherein PACIFIC ATLANTIC LLC, is the Plaintiff, and the Defendant is ASNAT REALTY, LLC pursuant to which action the Plaintiff is seeking a foreclosure of its judgment lien recorded in the Town of New Haven at Volume 8913, Page 20. The complaint claims damages, counsel fees, costs and other relief. The property sought to be foreclosed is known as 510 Grand Avenue, Parcel B, New Haven, Connecticut and described in the Schedule attached hereto and made a part of hereof:

THE PLAINTIFF, PACIFIC ATLANTIC LLC

By

Laurence P. Nadel, P.C.  
Its Attorney  
261 Bradley Street  
New Haven, Connecticut 06511  
(203) 777-8536  
Juris No. 042011

I CERTIFY THIS TO BE A TRUE COPY OF THE DOCUMENT  
RECORDED IN THE NEW HAVEN LAND RECORDS, DATED AT  
NEW HAVEN, CT THIS

DAY OF 20

MAY 08 2017

Michael B. Smart, CITY CLERK CITY CLERK'S OFFICE  
NEW HAVEN



Schedule A

All that certain piece or parcel of land situated in the City of New Haven, County of New Haven and State of Connecticut, shown on a certain map entitled "Property Survey, proposed lot split, Property of Quinnipiac Energy, LLC" New Haven Connecticut scale 1" = 40', dated 9/29/2003, revised 12/11/2006 by Godfrey-Hoffman Associates, LLC, bounded and described as follows:

Beginning at the northeasterly corner of herein described parcel,  
Thence: South 12 degrees 30 minutes 46 seconds West, along the East Branch of the Mill River, a distance of 146.22 feet;  
Thence: South 06 degrees 24 minutes 45 seconds East, along the East Branch of the Mill River, a distance of 903.76 feet;  
Thence: South 86 degrees 29 minutes 55 seconds West, along the Mill River, a distance of 238.47 feet;  
Thence: North 55 degrees 53 minutes 50 seconds West, along the Mill River, a distance of 165.55 feet;  
Thence: North 03 degrees 30 minutes 13 seconds West, along the West Branch of the Mill River, a distance of 544.18 feet;  
Thence: North 89 degrees 44 minutes 34 seconds East, through land now or formerly of Quinnipiac Energy, LLC, a distance of 286.20 feet;  
Thence: North 41 degrees 39 minutes 44 seconds East, through land now or formerly of Quinnipiac Energy, LLC, a distance of 26.72 feet;  
Thence: North 06 degrees 24 minutes 45 seconds West, through land now or formerly of Quinnipiac Energy, LLC, a distance of 258.78 feet;  
Thence: North 12 degrees 30 minutes 46 seconds West, through land now or formerly of Quinnipiac Energy, LLC, a distance of 151.56 feet;  
Thence: South 77 degrees 29 minutes 13 seconds East, along the Southerly Street Line of Grand Avenue, a distance of 32.00 feet to the point and place of beginning.